

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**



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Application of the City of Santa Rosa for Approval to Construct a Public Pedestrian and Bicycle At-Grade Crossing of the Sonoma-Marin Area Rail Transit ("SMART") Track at Jennings Avenue Located in Santa Rosa, Sonoma County, State of California.

Application No. 15-05-014
(Filing Date: May 14, 2015)

NOTICE OF EX PARTE COMMUNICATIONS

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Attorneys for CITY OF SANTA ROSA

Date: September 8, 2016

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In accordance with the requirements of Rule 8.1 *et seq.* of the Commission’s Rules of Practice and Procedure, the City of Santa Rosa (“City”), applicant in the above-referenced proceeding, hereby respectfully submits this notice of ex parte communications.

On September 8, 2016, the following representatives of the City of Santa Rosa (“City”) had an in-person meeting with Jennifer Kalafut, adviser to Commissioner Peterman: James Squeri, outside counsel; Molly Dillon, Assistant City Attorney; Jason Nutt, Director of Transportation and Public Works; and Gloria Hurtado, deputy City Manager. The meeting was held at the Commission offices at 505 Van Ness Ave., San Francisco, CA and lasted from 10:40 a.m. to 11:00 a.m.

The subject of the meeting was ALJ McKinney’s Proposed Decision (“PD”) granting the City’s application for an at-grade bicycle and pedestrian crossing at Jennings Ave. The City indicated its full support for the PD, emphasizing that the PD fairly evaluates the comprehensive evidence of record, applies the relevant Commission

standard for reviewing at-grade crossing applications, and properly concludes that the at-grade crossing meets the interests of the public, including the public interest in safety, and should be approved.

The City's representatives noted the all-but-unanimous public support and preference for the at-grade crossing, along with the support of the City's elected officials as well as the chiefs of the City's emergency services. Finally, the City noted that the PD represents evaluation of facts unique to the proposed Jennings Ave. crossing and, in no way, constitutes a precedent that binds future Commission action in any material respect.

A copy of this notice is being provided to the Chief Administrative Law Judge and to the service list in A. 15-05-014.

Questions with respect to the subject notice should be addressed to the undersigned.

Dated this 8th day of September, 2016 at San Francisco, California.

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DAY, LLP
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By /s/ James D. Squeri

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